

JASON M. FRIERSON
United States Attorney
Nevada Bar No. 7709
BIANCA R. PUCCI
Nevada Bar No. 16129
SUPRIYA PRASAD
Assistant United States Attorneys
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336
Bianca.Pucci@usdoj.gov
Supriya.Prasad@usdoj.gov
Attorneys for the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
BARRY ALLEN GABELMAN,
Defendant.

Case No. 2:20-cr-00019-JCM-NJK

Stipulation to Continue Sentencing Hearing (Fourth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Bianca R. Pucci and Supriya Prasad, Assistant United States Attorneys, counsel for the United Stated of America, Daniel Hill, Esq., attorney for the defendant Barry Allen Gabelman, that the sentencing hearing currently scheduled for January 18, 2023 at 10:00 a.m. be vacated and set to January 27, 2023 at 11:00 a.m. This Stipulation is entered into for the following reasons:

1. The government counsel has a scheduling conflict and will no longer be available for the currently scheduled sentencing hearing.

2. Defendant file a motion for acquittal that is currently pending before this Court.

1 3. The parties sought a convenient time to re-schedule the sentencing hearing within
2 a week of the currently scheduled hearing from the Courtroom Administrator. The Courtroom
3 Administrator provided the parties with the date of January 27, 2023 at 11:00 a.m.

4 4. The Defendant is in custody and does not object to the continuance.

5 5. The parties agree to the continuance.

6 6. Additionally, denial of this request for continuance could result in a miscarriage of
7 justice.

8 7. The additional time requested by this stipulation is made in good faith and not for
9 purpose of delay.

10 8. This is the fourth request for a continuance of the sentencing hearing.

11 DATED this 7th day of December, 2022.

13 JASON M. FRIERSON
14 United States Attorney

15 _____
16 /s/ *Bianca R. Pucci*
17 BIANCA R. PUCCI
18 Assistant United States Attorney

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16 /s/ *Daniel Hill*
17 DANIEL HILL
18 Attorney for Defendant
19 BARRY ALLEN GABELMAN

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2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 BARRY ALLEN GABELMAN,

8 Defendant.

Case No. 2:20-CR-00019-JCM-NJK

ORDER

10 Based on the Stipulation of counsel, good cause appearing therefore, the Court finds that:

11 1. The government counsel has a scheduling conflict and will no longer be available
12 for the currently scheduled sentencing hearing.

13 2. Defendant file a motion for acquittal that is currently pending before this Court.

14 3. The parties sought a convenient time to re-schedule the sentencing hearing within
15 a week of the currently scheduled hearing from the Courtroom Administrator. The Courtroom
16 Administrator provided the parties with the date of January 27, 2023 at 11:00 a.m.

17 4. The Defendant is in custody and does not object to the continuance.

18 5. The parties agree to the continuance.

19 6. Additionally, denial of this request for continuance could result in a miscarriage of
20 justice.

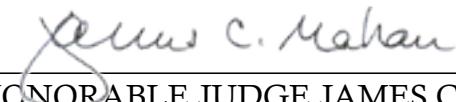
21 7. The additional time requested by this stipulation is made in good faith and not for
22 purpose of delay.

23 8. This is the fourth request for a continuance of the sentencing hearing.

24 IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled on

1 January 18, 2023 at 10:00 a.m., be vacated and continued to **January 27, 2023 at 11:00 a.m.**

2 DATED December 8, 2022.

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5 HONORABLE JUDGE JAMES C. MAHAN
6 UNITED STATES DISTRICT JUDGE

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